

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SAMUEL NISWONGER,

Plaintiff(s),

CASE NO. 3:10-cv-377

-vs-

District Judge Timothy S. Black

PNC BANK CORP. & AFFILIATES
LONG TERM DISABILITY PLAN,

Defendant(s).

JUDGMENT IN A CIVIL CASE

☐ **Jury Verdict:** This action came before the Court for a trial by jury. The issues have been tried and the Jury has rendered its verdict.

☒ **Decision by Court:** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered,

IT IS ORDERED AND ADJUDGED: the Plaintiff's motion for judgment as a matter of law (Doc 14) is **GRANTED**; Defendant's motion to deny relief and affirm the administrative decision (Doc. 13) is **DENIED**; Judgment is **ENTERED** in favor of Plaintiff awarding him long-term disability benefits and the matter is **REMANDED** to the plan administrator with instructions to award Plaintiff long-term disability benefits retroactive to April 21, 2010; and this case is **CLOSED**.

Date: August 3, 2011

JAMES BONINI, CLERK

By: s/ M. Rogers
Deputy Clerk